



Testimony

**OF THE PROFESSIONAL STAFF
CONGRESS/CUNY**

**EXECUTIVE BUDGET:
THE CITY UNIVERSITY OF NEW YORK, FY 2020**

**JOINT HEARING OF THE NY STATE SENATE FINANCE
COMMITTEE AND THE ASSEMBLY WAYS AND MEANS
COMMITTEE**

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**TESTIMONY OF THE PROFESSIONAL STAFF CONGRESS/CUNY
FY2020 EXECUTIVE BUDGET FOR CUNY**

Good afternoon, Senate Chairpersons Krueger and Stavisky, Assembly Chairpersons Weinstein and Glick. Thank you for giving us the opportunity to testify today, and thank you for your continued support for public higher education. Legislators on both sides of the aisle have fought successfully to increase funding for community colleges and have repeatedly sponsored enhanced Maintenance of Effort legislation to stabilize public funding for CUNY and SUNY senior colleges. Your efforts and your willingness to challenge the premise of austerity funding have made a difference, and on behalf of the 30,000 members of the PSC, I thank you.

The Legislature has already achieved a historic victory for higher education students this session, one that has been a longstanding priority for the PSC. Congratulations on passing the DREAM Act. As college faculty and staff, we have been proud to teach and mentor—and learn from—the thousands of Dreamers at CUNY. We have seen their courage, their passion for education, their determination to open doors for the next generation that were closed to them. Thank you for never giving up, for enabling thousands of courageous students, brought to the United States as infants or children, to have a meaningful opportunity for a college education.

Passage of the DREAM Act, at the same moment when the administration in Washington is doing its utmost to criminalize young immigrants and violate international law on asylum, sends a strong message about how New York values immigrants and public higher education. We call on you to send an equally strong message on New York's commitment to public higher education through your one-house budget resolutions and the final budget.

Enactment of the DREAM Act was made possible by the rising political energy in the state and the statewide elections last autumn. With a newly energized, more progressive electorate at your back, the new Senate majority and the Assembly have a real chance to restore stability to the CUNY and SUNY senior college budgets. I urge you to seize the opportunity.

The current funding model for New York's four-year public universities is unsustainable. Lawmakers who voted overwhelmingly for Maintenance of Effort legislation know this to be true. Yet New York is still not adequately funding CUNY and SUNY operations. Despite the claims that State funding for higher education has increased, real per-student spending has gone down. With new lawmakers and new leadership in the Senate, this should be the year that Albany finds the will to fully fund CUNY.

I believe we need to start by reframing the issue. Most of the public discourse on higher education in Albany has focused on college access and affordability. Those are critical, of course, but they are at best only half the story. What's missing is a focus on quality. It is not enough to make college affordable; New York must also make it meaningful. A hollowed-out, shoestring, poverty-level higher education is not good enough for the students we teach. On many days, working at CUNY, it feels like a gesture of

contempt for our students. And when 77 percent of CUNY undergraduates are people of color, lack of investment in the quality of college education they receive is an issue of racial justice. Access, affordability, and even a patchwork of laudable programs like food pantries and assistance with temporary housing are not enough. Genuine commitment to access to a college education must include a commitment to investing in the universities that provide it.

New York has invested strongly in student access to public and private higher education through the Tuition Assistance Program (TAP) and made a much-publicized but relatively small investment in the Excelsior Scholarship, but the state has *disinvested* in educational quality at CUNY and SUNY. There are many exceptions in the Legislature, including the leadership of the committees present today, but too many lawmakers, reporters, and editorial boards believe that addressing higher education means addressing affordability. Addressing higher education must include addressing the fundamental issue of investment in teaching and learning. Anything less is a betrayal of the students New York claims to serve.

CUNY was free for more than a hundred years. Affordability is fundamental to its mission, and the PSC joins CUNY students in opposing further tuition increases and demanding public investment. Even with full tuition support, however, CUNY is barely affordable for students from households with annual incomes below \$30,000. The students here today will testify eloquently to that. As a professor who represents thousands of professors and other academic workers, I want to ask you to focus on quality.

The CUNY senior colleges are in the midst of a funding crisis—in large part because the normal costs of doing business are not covered in the State’s annual budget allocation to the University. The higher education debate in Albany must not spend another session *almost entirely focused* on access, on the merits and shortfalls of the Excelsior Scholarship, or on the share of financial aid that ought to go to private colleges. That framework has obfuscated the desperate funding situation at CUNY. It has allowed the State to continue its policy of disinvestment in CUNY and SUNY.

To the newly elected legislators, the new majority members, and the long-time supporters of public higher education in the Legislature, I urge this: make funding for quality public higher education a top priority. Make class size, course availability, teaching conditions and learning conditions as much an issue of economic and racial justice as financial aid. Resist further tuition increases, but also insist on an enacted budget that increases State funding for CUNY’s operating expenses and does more than offer financial-aid Band-Aids. Put your energy, your imaginations, your power behind CUNY’s ability to transform individual lives and lift communities out of poverty.

I urge you to make a dramatic increase in State funding part of your respective one-house budget resolutions, and fight for it in the final budget negotiations. The CUNY senior colleges need \$332 million more this year, in addition to the allocation in the Executive Budget, to recover from years of underfunding. The CUNY community colleges need \$18 million more.

Funding Crisis at CUNY

For many years, the normal costs of doing business at CUNY have not been covered in the State's annual budget allocation of funding to the University. Now, CUNY is reaching a breaking point. Current law ensures that the Executive Budget provides the same nominal operating budget allocation as the previous year plus funding for increases in the cost of CUNY's fringe benefits. These are the terms of the basic Maintenance of Effort included originally in the SUNY2020 law, which also brought us annual tuition hikes and the growing TAP Gap.

The FY2020 Executive Budget provides an increase of \$47 million for fringe benefits at CUNY senior colleges. Beyond that, the CUNY senior college operating budget is essentially flat. The fringe benefit funding is critical, but it is substantially less than CUNY requested to cover its current mandatory cost increases. We call on you to work with the University and the Executive to ensure that the full amount is covered. Anything less will mean that CUNY will have to strip academic programs in order to pay legally mandated costs.

The pattern of failing to increase investment even though student enrollment and mandatory costs are climbing has resulted in a slow-motion fiscal crisis for the CUNY senior colleges. We are witnessing a gradual but devastating disinvestment. Per-student funding from New York State for CUNY's senior colleges declined by 18 percent between 2008 and 2018, and by four percent between 2011 and 2018. New York can't keep forcing the colleges to absorb costs that should be covered by increased public funding and at the same time handle more students without eventually hurting the enterprise of education itself. The CUNY senior colleges are on the brink of unsustainability.

CUNY has been forced to cannibalize its own inadequate budget to cover costs that should be automatically funded by New York State. Every year for the past three years, the CUNY senior colleges have been required by the University to set aside approximately two percent of their operating budgets in order to pay for agreed-upon collective bargaining increases. And these were not extravagant increases; they barely kept level with inflation.

The cumulative effect of the 2-percent cuts and years of underfunding has been severe. The senior colleges face shortages of supplies and equipment, broken computers, reduced hours for writing and tutoring centers, even reduced hours for libraries. What message is a college sending to its students about the importance of their education when it limits hours at college libraries? Closing college libraries for certain hours is the antithesis of providing public education. CUNY-wide, libraries were cut by \$3 million between 2014 and 2016, and the disinvestment has continued especially for libraries at the senior colleges. The college libraries cannot afford to keep publication subscriptions up to date, and some cannot afford books. The York College library relies on the largess of its student government to buy books.

Academic departments, libraries and student services routinely lose a net number of positions; some run on skeleton crews. Eight years ago, the Writing Center at John Jay College was open to students for 50 hours each week. This year, it is open for only 36 hours. Just four years ago, the John Jay Writing

Center employed 49 tutors and provided about 9,000 one-on-one tutoring sessions annually. Today, it employs 32 tutors and offers 7,600 sessions per year.

CUNY-wide, the shortage of academic advisors has reached such a crisis point that CUNY's Board of Trustees recently approved a system of algorithmic academic advising by computer. Mental health and wellness resources are also severely understaffed. CUNY's student-to-counselor ratio of 2,400: 1 is far above the recommended 1,500 students per counselor. Yet the University management, so used to accommodating to austerity, is seeking limited funds for "an online mental health intervention program" rather than for the needed staff lines.

The chronic underfunding due to the absence of support for basic annual costs has taken its deepest toll on academic departments. Course offerings have been reduced, sections have been cut, and students suffer. A recent survey by the CUNY administration showed that 22 percent of students report being unable to register for a course needed for graduation. Classes are frequently overcrowded. A History professor at Brooklyn College has testified about having 40 students in his class but only 36 desks. Even without enough desks for the students in his own class, the class was interrupted more than once by students from a neighboring classroom foraging for desks and chairs.

Without additional funding for mandatory cost increases and collective bargaining, there is often no money to replace full-time faculty and staff who leave or retire. This academic year in particular, new hiring of full-time faculty has been minimal at most senior colleges.

The PSC applauds CUNY's request for funding for 200 new full-time faculty positions to increase racial and ethnic diversity. We have long argued that increased faculty diversity is essential for intellectual integrity as well as for enhancement of the educational experience of all students. But two major problems are being overlooked. If CUNY's hiring of full-time faculty over the past decades had kept pace with the need, CUNY would have 4,000 more full-time professors. Because the number of new hires is so small, an increased percentage of new faculty of color does little to change the overall percentage. And because CUNY faculty salaries are so uncompetitive and the workload so demanding, many faculty of color feel they cannot accept a CUNY position.

Salaries for full-time faculty remain uncompetitive because CUNY does not have the funding to negotiate adequate salaries. Other public university systems in the region – Rutgers, University of Connecticut and Penn State, for example—pay professors on average tens of thousands of dollars more than the CUNY senior colleges. A Columbia University professor earns twice what a CUNY senior college professor earns, even when the CUNY professor has twice as high a teaching load and similar research expectations to those of the professor at Columbia. CUNY is at a serious disadvantage in hiring and retaining the faculty our students should have.

PSC Contract More than a Year Overdue

The PSC's contract with CUNY expired in November of 2017. Our members have been working with an expired contract for over a year. It took CUNY six years to make an acceptable offer before the last contract was settled. PSC members will not wait that long again.

Just like the teachers who won their recent strike in Los Angeles, the members of the PSC are seeking a contract that refutes austerity funding for students who are poor, working-class, middle-class and new immigrants. We are seeking a contract that enables us to provide the education our students need.

We are not asking the Legislature to take a role in collective bargaining. But we are alerting you to the crisis in adjunct pay and the uncompetitive salaries of full-time faculty and staff at CUNY. The union is demanding minimum pay of \$7,000 per three-credit course for CUNY adjuncts and fair raises for our full-time faculty and staff. CUNY's exploitation of adjunct faculty and its underpayment of the rest of its workforce are rooted in its lack of adequate public investment. CUNY needs funding to support its current collective bargaining agreement without cannibalizing itself, and it needs funding to support wage justice and educational justice in the next contract.

12,000 Low-Wage Adjunct Faculty at CUNY

CUNY's reliance on low-wage workers is the clearest sign of its austerity funding. Exploiting adjunct faculty is the main way the University has managed the State's declining per-student investment in CUNY. The number of adjunct faculty at CUNY has nearly doubled since 2000. Today more than 12,000 adjuncts teach at CUNY, and they teach the majority of CUNY courses. At the senior colleges, where the disinvestment is most deeply felt, adjuncts provide more than 60 percent of undergraduate instruction.

Both New York City and New York State have taken a strong stand that no one in our state should earn a poverty wage. The \$15-an-hour minimum wage, once deemed unthinkable, has now become law. Yet thousands of CUNY adjuncts labor in constant precarity, in danger of falling into poverty or losing their health insurance if a course assignment falls through.

Salaries for CUNY adjuncts are a disgrace. You've heard the stories of adjuncts living out of cars and depending on food pantries and public assistance. CUNY adjuncts have shared hundreds of similar stories in testimony before lawmakers and the CUNY Board of Trustees. Many are tired of putting their poverty on display in order to achieve simple wage justice.

CUNY adjunct pay averages \$3,500 a course, the equivalent of \$28,000 per year. New York State must relieve its structural underfunding of CUNY and free up funds to end the near poverty-level pay of CUNY adjuncts.

The idea that an adjunct is a person with a well-paid full-time job elsewhere who teaches one course for the pleasure of teaching is largely a myth. A growing number of CUNY adjuncts rely on their adjunct teaching for their entire income. To do so, they often travel from campus to campus, commuting many hours per day. It's a grinding existence.

Because CUNY and hundreds of universities across the country have sharply decreased their hiring of full-time faculty, graduates from top universities with PhDs often have no choice but underpaid adjunct teaching if they want to work in the fields in which they spent years to master in graduate school. Teaching as many courses as a full-time Lecturer at CUNY, these adjuncts earn about \$28,000 a year. That is an unacceptable salary for an educator in New York City and for a college instructor in a state that views itself as a model of progressive policy.

CUNY adjuncts do an exceptional job despite their unacceptable pay. They work hundreds of unpaid hours, bring extraordinary dedication to their work, and often go well beyond their required work to assist CUNY students. But the evidence is strong that students do best when they have access to small classes and faculty who receive a salary to work full time. CUNY students are often shocked when they learn how little their adjunct professors are earning; they can judge how much New York values their education by the way the State treats the professors who teach most of their classes.

PSC Urges the Legislature to Make These Investments a Priority

New York is a rich state; it has the money to fund CUNY. New York can fund CUNY adequately in this budget if legislators and legislative leaders make it a priority and work with the Governor to make quality education and wage justice for adjuncts a priority in the enacted budget.

The PSC will work with New York City in support of CUNY's budget request for an increase in City funds for the CUNY comprehensive colleges. Even though the City's investment in CUNY has increased since 2013, New York City's \$32 million investment to support associate programs at CUNY comprehensive colleges has remained flat for decades. CUNY has asked the City to increase this funding by \$32.8 million to account for inflation. The PSC supports the request.

We call on the State to address the unsustainable fiscal model for the senior colleges by funding the following urgent needs.

Eliminate the TAP Gap (\$86 Million)

This year CUNY is facing a \$74 million cut to tuition and financial aid revenue, because state law requires public colleges provide a discount on tuition charged from students receiving Tuition Assistance Program grants (TAP). A student receiving the maximum TAP grant award (currently \$5,175) is provided a waiver for his or her remaining tuition charges above \$5,000. The \$5,000 limit is mandated in state law and below the current maximum TAP award. This year, a student receiving a maximum TAP grant pays none of the \$6,730 senior college tuition cost, CUNY receives \$5,000 in actual revenue for this student and does not collect the balance of \$1,730. Students with partial TAP awards receive partial tuition waivers. The cumulative loss of tuition and financial aid revenue to

CUNY is enormous because CUNY enrolls so many poor and moderate-income students who receive TAP grants. This year (FY2019) the cut to CUNY's revenues from this "TAP gap" is \$74 million. And the TAP gap grows as tuition increases. In FY2020, the gap will grow to about \$86 million.

The TAP gap increases by roughly \$12 million with every \$200 tuition hike. The \$200 tuition increase scheduled for FY2020 will gross about \$31 million in new revenue for CUNY, but it will net only about \$19 million because of the new TAP waivers. TAP-eligible students are partially shielded from paying higher tuition. But every CUNY student is harmed by a budget that has less money for instruction and less money for direct student services that help students to stay enrolled and to graduate on time. The TAP Gap hurts every CUNY student. Financial aid for CUNY students should be paid in full directly to their colleges; it should not cause a deep gap in CUNY's operating revenue.

Colleges that enroll a higher proportion of students receiving TAP bear higher costs. They are, in effect, penalized for enrolling lower-income students. The PSC is deeply concerned about the disproportionate effect of the TAP Gap on certain colleges and about whether its existence will be a disincentive for serving the students who need most support.

We urge you to eliminate the TAP Gap in your one-house budgets and fight to enact a structural solution that will eliminate the TAP Gap in the enacted budget and future budgets.

Fund Unmet Mandatory Costs (\$21 Million)

The FY2020 Executive Budget provides \$47 million for fringe benefits at CUNY senior colleges. We call on you to work with the University and the Executive to ensure that the full amount is covered. Anything less will mean that CUNY will have to strip academic programs in order to pay legally mandated costs.

This funding is critical, but it is less than what CUNY requested for fringe benefits and far less than what is needed overall. The CUNY Budget Request for FY2020 also identified \$21 million in rent, energy and contractual salary increments, which were not funded in the Executive Budget. We urge you to fund all of CUNY's unmet mandatory costs in your one-house budgets and fight to include them in the enacted budget.

Fund Future Collective Bargaining Costs and Wage Justice for Adjuncts (\$150 Million)

CUNY will never be competitive for the best talent in the national academic labor market if it cannot keep pace with inflation in employees' salaries. It is not right that New York State forces CUNY to carve its collective bargaining costs out of its own inadequate budget. CUNY students deserve the best faculty *and* books on their library shelves. This policy is self-defeating and harmful to students' education.

Our union is pressing CUNY management for an agreement on fair salaries for adjuncts. We are demanding \$7,000 per course. 7K per course would bring adjuncts to parity with the lowest paid full-time faculty at CUNY. It would allow CUNY to compete with the many colleges in New York metropolitan area that now pay their adjuncts far more than CUNY does. Most importantly, it would

adequately reimburse CUNY adjuncts for the work they do to teach and mentor CUNY students. The University cannot operate without them.

The solution to the unacceptably low pay for adjuncts must be, in its final form, a budgetary solution, and Albany should start funding that solution now.

Invest in Student Success and Completion (\$60 million)

CUNY employs roughly 4,000 fewer full-time faculty today than it did in 1975, when it enrolled 24,000 fewer students. The University desperately needs funding to add full-time faculty lines, advisors and counselors. By recruiting from the ranks of CUNY's highly qualified adjuncts and PhD students, CUNY can reduce class size, increase course offerings and improve the overall diversity of the faculty. By hiring new human advisors and mental health counselors, CUNY can help more students get the attention and the support they need to overcome the challenges they face, stay enrolled, and succeed. New technologies that help target help to the greatest need may help, but they can't erase CUNY's horrible student-to-advisor and student-to-counselor ratios.

Increase Funding For Community Colleges (\$18 Million)

CUNY's community colleges serve a high-needs population that deserves increased State support. The Legislature has been steadily increasing funding for community colleges since the very deep budget cuts of the Great Recession. But the needs of CUNY's community colleges are great. They provide developmental and remedial courses to students with deficient high school preparation, remedial needs or English-language deficits. They also prepare students for meaningful and important careers in healthcare, technology and other fields. And they serve as a gateway to four-year degrees and higher degrees for thousands of students who choose community colleges as their first college experience. Community college students are more likely to be people of color, low-income, first-generation students, and students raising children.

We urge you to increase funding for CUNY community colleges by \$18 million in your one-house budgets by raising the Base Aid Rate by \$250 from \$2,847 per FTE student to \$3,097 per FTE student.

Restore Prior Legislative Investments (\$12 Million)

The Executive Budget has eliminated funding added by the Legislature last year to various programs at CUNY, including the Accelerated Study in Associate Programs, the Opportunity Programs (SEEK, CD, C-STEP), the CUNY School for Labor and Urban Studies, and the CUNY Pipeline initiative. CUNY workers and students appreciate your continued support for these critical programs. We urge you to continue to support them, but more fundamentally, we urge you to push to end this one-step-forward-one-step-back budget dance with the Governor. This cut-and-restore cycle isn't moving us forward, and it keeps the focus narrow and programmatic when a broad, systemic solution is what is needed at CUNY.

Invest in Campus Maintenance

Enrollment at CUNY has increased 40 percent since 2000. During this period, college facilities have not been expanded and improved to adequately accommodate CUNY's enlarged student body. The lack of adequate public funding made matters worse, as campuses had to defer maintenance for years. Students, faculty and staff have testified repeatedly about the degradation of campus facilities. They have brought their complaints to social media and to the press. At a hearing before the CUNY Board last month we heard a Bronx professor report on a 75-percent reduction in custodial staff. The remaining staff, she reported, has been instructed to "no longer clean, sweep or mop campus facilities during the semester." Their only role has been to remove trash from offices and classrooms. This has had predictable results of infestation.

The declining physical structure of buildings and delayed maintenance are the most visible evidence of CUNY's long-term underfunding. The PSC urges you to support CUNY's requests for additional operating support and capital funding to maintain, repair and upgrade University facilities. We thank the governor for increasing the capital budget for CUNY by almost \$75 million. We urge Albany to do more.

Another CUNY is Possible

The Legislature has already shown this session that laws once thought impossible to change can be rewritten, that provisions once assumed outside of New York's reach can now become law. And you've done it with amazing speed. The PSC asks you to exercise a similar visionary stance and a similar urgency about public higher education.

CUNY has been on poverty funding for so long that we may have almost lost the ability to imagine it otherwise. That loss could ultimately be the biggest tragedy of underfunding because it means that underfunding has been normalized. I ask you not to normalize underfunding for CUNY just as you have refused to normalize other unacceptable conditions in our state. We call the Legislature, with your leadership, to reimagine CUNY as radically as you have reimagined voters' rights, women's reproductive rights or the DREAM act. Another CUNY is possible.

If the Legislature makes increased investments in CUNY a priority and insists on those investments in the enacted budget, a CUNY that actively supports its students in their aspirations for their lives is within reach. Imagine it. Students would routinely graduate on time because their professors would have small classes, full-time salaries and the time to give them the attention they need. Students would be relieved of the financial pressure that forces many of them to work full-time outside of school as tuition climbs, enabling them to stay in college and graduate as they planned. College libraries and writing centers would be open and adequately staffed. Students who have already made heroic efforts to reach college would be supported, not impeded, in their efforts to learn. Real, human counselors would be available to take an active role in guiding the progress of a reasonable number of students, rather than seeing each student once in his or her career, if that. Adjunct instructors would not have to rush to their other jobs because they would be paid an equitable wage—and in fact, adjuncts would be employed only rarely, with thousands of current adjunct positions converted into full-time jobs. The number of full-

time faculty would be restored and student services would be fully staffed. Faculty would be supported to produce new knowledge, inflected by our work with the astonishing, challenging, striving CUNY students. The racial injustice of underfunding a public urban university system that serves predominantly students of color would be erased. New York would have a public urban university worthy of a progressive state. New York would defy the ugly premise that a university that serves largely the poor should be limited to poverty funding. You can make that CUNY possible, and this is the year to do it.